

D3018

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/082,691 Confirmation No. 5311  
Applicant : Donovan  
Filed : February 25, 2002  
Title : METHODS FOR TREATING INFLAMMATION PAIN  
TC/A.U. : 1600/1651  
Examiner : Marx, I.  
Docket No. : D-3018  
Customer No. : 33197

CERTIFICATE OF FACSIMILE TRANSMISSION  
I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to fax number 703-872-9306, on the date indicated below.

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


June 1, 2004  
Janet McShane

LETTER TRANSMITTING TERMINAL DISCLAIMER

Dear Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. In addition, authorization is hereby given to charge Deposit Account No. 01-0885 in the amount of \$110.00 (37 CFR 1.20(d)) to cover the required fee. Duplicate copies of this letter are enclosed.

Respectfully submitted,

  
Frank J. Dza  
Attorney for Applicant  
Reg. No. 25,612  
4 Venture, Suite 300  
Irvine, CA 92618  
(949) 450-1750  
Facsimile (949) 450-1764

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*Fee  
Charged*

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**MAIL STOP AMENDMENT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

*June 1, 2004*  
*Robert M. McKee*

TERMINAL DISCLAIMER

Sir:

Your petitioner, Allergan, Inc., a corporation organized under the laws of the State of Delaware and having a place of business at 2525 Dupont Drive, Irvine, California 92612, by its attorney, FRANK J. UXA, of record in the above-identified application, represents that it is the assignee, as shown by the assignment recorded in the Patent and Trademark Office on April 7, 2003, at Reel 013898, Frame 0170, of the entire right, title and interest in and to the above-identified application.

Pursuant to 37 CFR 3.73(b), your petitioner, as assignee of the above-identified application, hereby states that the above-noted assignment, the evidentiary document on which ownership of the above-identified application is established, has been reviewed. Further, your petitioner hereby certifies that, to

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6/21/2004 DWILLIA4 00000002 010885 10082691  
 File Ref: 00000002 DAB: 010885 10082691  
 FC:1814 110.00 DA

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
01/0825	
FEE CODE	VALUE FURNISHED
18M	110

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Serial No.: 10/082,691  
Filed: February 25, 2002  
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the best of your petitioner's knowledge and belief, title to the above-identified application is in your petitioner, as assignee seeking to take the action in this Terminal Disclaimer.

Your petitioner, Allergan, Inc., hereby disclaims the terminal part of any United States patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent Number 6,500,436 and hereby agrees that any United States patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to United States Patent Number 6,500,436, this agreement to run with any patent granted on the above-identified application and be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent Number 6,500,436 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its respective full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

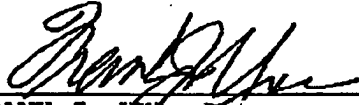
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 28<sup>th</sup> day of May, 2004.

Respectfully submitted,



FRANK J. VXX, Attorney of Record  
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4 Venture, Suite 300  
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(949) 450-1750  
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